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PATENT & TRADEMARK OFFICE

BAY-210

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BAYCHAR

Serial No. 08/887,847

Group Art Unit: 1771

Filed: July 3, 1997

Examiner: A. Singh

For: WATERPROOF/BREATHABLE MOISTURE TRANSFER LINER INCLUDING A THREE PART COMPOSITE CAPABLE OF WICKING MOISTURE AWAY FROM AN INDIVIDUAL'S BODY AND CAPABLE OF REGULATING TEMPERATURE (As Amended)

DECLARATION UNDER 37 CFR §1.131

Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Baychar, declare as follows:

1. I am the inventor of the subject matter described and claimed in the above-identified application.

2. Prior to June 3, 1996, I invented a moisture transfer composite and system having an inner moisture transfer material, a foam material and a non-woven material. The foam material can have reversible enhanced thermal properties (such as by using phase change (PC) material). Prior to June 3, 1996, I entered information about my invention into a notebook, a portion of which has been copied in the attached Appendix.

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3. The Appendix clearly establishes that I had possession of the claimed invention prior to June 3, 1996.

4. An application was filed for the invention on July 3, 1997 as a continuation-in-part application of application Serial No. 08/813,438, filed on March 10, 1997, which in turn was filed as a continuation-in-part application of application Serial No. 08/747,340, filed on November 12, 1996, now U.S. Patent No. 5,738,937.

5. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

May 16, 2003
Date

Baychar
Baychar